

# FRISHAUF HOLTZ GOODMAN & CHICK P.C.



INTELLECTUAL PROPERTY LAW
220 FIFTH AVENUE, NEW YORK, NY 10001-7708

LEONARD HOLTZ HERBERT GOODMAN MARSHALL J. CHICK RICHARD S. BARTH DOUGLAS HOLTZ ROBERT P. MICHAL

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OF COUNSEL:

STEPHEN H. FRISHAUF RICHARD M. GOLDBERG

November 15, 2005

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re: U.S. Serial No.

: 10/797,887

Sir:

Enclosed is an Office Action received in our office on November 14, 2005. The above-identified application is <u>not</u> being prosecuted in our office and should <u>not</u> be assigned our Customer Number. A review of the Declaration in the Private Pair system indicates that the application is being handled by a firm in Colorado.

Very truly yours,

Leonard Holtz

LH/pob Enc.

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# United States Patent and Trademark Office

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| APPLICATION NO.          | FILING DATE     | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|--------------------------|-----------------|--|------------------------|------------------|
| 10/797,887               | 03/09/2004      | Fred D. Rampey   | DISC.01US01            | 5046             |
| 1933                     | 7590 11/10/2005 |  | EXAM                   | INER             |
| FRISHAUF,<br>220 5TH AVE | HOLTZ, GOODMAN  | N & CHICK, PC  | TRAN, QL               | JOC DUC          |
|                          | NY 10001-7708   |  | ART UNIT               | PAPER NUMBER     |
|                          |                 | NOV 1 7 2005   | 2643                   |                  |
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Please find below and/or attached an Office communication concerning this application or proceeding.

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FRISHAUF HOLTZ GOODMAN & CHICK, P.C.

| 6   | IPE 40  |   |  |             |
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|   | W 1 7 2005  | Application No.   | Applicant(s)   |             |
| \.0   | N 1 7 3005  | 10/797,887  | RAMPEY ET AL.  |             |
| Office Action Summary   |   | Examiner  | Art Unit   |             |
|   | 1   | Quoc D. Tran  | 2643   |             |
| The MAILING DATE of this commo  | ınication appe  | ars on the cover shee   | t with the correspondence ad   | dress       |
| A SHORTENED STATUTORY PERIOD WHICHEVER IS LONGER, FROM THE  - Extensions of time may be available under the provision after SIX (6) MONTHS from the mailing date of this conclusion.  - If NO period for reply is specified above, the maximum  - Failure to reply within the set or extended period for reply reply received by the Office later than three month earned patent term adjustment. See 37 CFR 1.704(b).  | MAILING DAT<br>ns of 37 CFR 1.136(<br>nmunication.<br>statutory period will<br>oly will, by statute, ca<br>s after the mailing da | (a). In no event, however, ma<br>apply and will expire SIX (6)                          | INICATION.  by a reply be timely filed  MONTHS from the mailing date of this co    |             |
| Status  |   | •   |  |             |
| 1) Responsive to communication(s) f 2a) This action is FINAL. 3) Since this application is in condition closed in accordance with the practice.   | 2b)⊠ This a<br>n for allowanc   | ction is non-final.<br>e except for formal n  |  | merits is   |
| Disposition of Claims   |   |   | •  |             |
| 4) Claim(s) 1-61 is/are pending in the 4a) Of the above claim(s) is/ 5) Claim(s) is/are allowed. 6) Claim(s) 1-61 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restr   | are withdrawn   |   | ·  |             |
| Application Papers  |   | •   |  |             |
| 9)☐ The specification is objected to by to 10)☐ The drawing(s) filed on <u>09 March 2</u> Applicant may not request that any objected to a comparison of the control of the co | 004 is/are: a)<br>ection to the dra<br>ng the correction  | awing(s) be held in abe<br>n is required if the draw                                    | yance.  See 37 CFR 1.85(a).<br>ing(s) is objected to. See 37 CF                    | R 1.121(d). |
| Priority under 35 U.S.C. § 119  |   |   |  |             |
| 12) Acknowledgment is made of a claim a) All b) Some * c) None of:  1. Certified copies of the priorit 2. Certified copies of the priorit 3. Copies of the certified copies application from the Internati * See the attached detailed Office acti  | y documents h<br>y documents h<br>s of the priority<br>ional Bureau (l  | nave been received.<br>nave been received in<br>documents have be<br>PCT Rule 17.2(a)). | n Application No en received in this National \$                                   | Stage       |
|   |   | •   |  |             |
| Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (3) Information Disclosure Statement(s) (PTO-1449 of Paper No(s)/Mail Date  |   | Paper N   | w Summary (PTO-413)<br>No(s)/Mail Date<br>of Informal Patent Application (PTO-<br> | -152)       |
| U.S. Patent and Trademark Office<br>PTOL-326 (Rev. 7-05)  | Office Actio  | n Summary   | Part of Paper No./Mail Da  | te 11082005 |

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#### **DETAILED ACTION**

## Claim Objections

1. Claims 11-13 and 59-61 are objected to because of the following informalities: the phase "may be" is not a positive limitation. Appropriate correction is required.

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1-9, 15, 17, 20-25, 28-36, 38, 40, 43-48 and 51-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Srinivasan (5,724,412).

Consider claims 1, 29-31 and 34, Srinivasan teaches a speech to text conversion system and method for converting voice information to text information for a specified user associated with a Caller ID comprising: a telephony device that transmits said voice information (col. 3 lines 50-55); a telephone network that receives said voice information from said telephony device and transmits said voice information and said Caller ID to said communications server (see Fig. 1); a communications server that receives said voice information and said Caller ID; an account disposed in said communications server that is accessed by and linked to said Caller ID, said account including routing information that routes text information to a specified destination and having a speech recognition system configured specifically for said user that converts said voice information to said text information; a router disposed in said communications server that

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automatically transmits said text information to said specified destination (col. 4 lines 3-26; col. 5 lines 21-39).

Consider claims 2, 32 and 35, Srinivasan teaches wherein said communications server further comprises a storage device that stores said voice information (col. 5 lines 6-20).

Consider claims 3, 33 and 36, Srinivasan teaches wherein said communications server further comprises a storage device that stores said text information (col. 5 lines 6-20).

Consider claims 4-9 and 52-57, Srinivasan teaches the claimed limitations (col. 5 lines 31-34).

Consider claims 15, 17, 20-25, 38, 40 and 43-48 Srinivasan teaches the claimed limitations (col. 1 lines 50-55).

Consider claims 28 and 51, Srinivasan teaches wherein said telephony device is a wireline telephony device (col. 3 lines 50-55).

#### Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claims 10-13, 27, 50 and 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (5,724,412) in view of Rabe et al (5,764,730).

Consider claims 10-13 and 58-61, Srinivasan did not suggest wherein the Caller ID is an Electronic Serial Number from a wireless telephony device and wherein said Caller ID is information stored within a Subscriber Identification Module which may be installed in a

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wireless telephony device. However, Rabe et al suggested such (col. 4 lines 1-52; col. 6 lines 3-11). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabe et al into view of Srinivasan in order to provide caller information from different networks.

Consider claims 27 and 50, Srinivasan did not suggest wherein said telephony device is a wireless telephony device. However, Rabe et al suggest such (Fig. 3). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabe et al into view of Srinivasan in order to provide caller information from different networks.

6. Claims 14 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (5,724,412) in view of Minborg et al (5,922,721).

Consider claims 14 and 37, Srinivasan did not suggest wherein said text information is encrypted prior to being transmitted to said specified destination. However, Minborg et al suggested such (col. 6 lines 33-41). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Minborg et al into view of Srinivasan in order to provide a secured transmission of data.

7. Claims 16, 18, 39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (5,724,412) in view of Skog (5,930,701).

Consider claims 16, 18, 39 and 41, Srinivasan did not suggest wherein said specified destination is a text capable mobile telephone and text capable pager. However, Skog suggested such (col. 1 lines 13-54; col. 7 lines 21-43). Therefore, it would have been obvious to one of the

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ordinary skill in the art at the time the invention was made to incorporate the teaching of Skog et al into view of Srinivasan in order to provide caller information from different networks.

8. Claims 19 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (5,724,412) in view of Wu et al (6,813,489).

Consider claims 19 and 42, Srinivasan did not suggest wherein said specified destination is a wireless email device. However, Wu et al suggested such (col. 4 lines 35-65). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Skog et al into view of Srinivasan in order to provide caller information from different networks.

9. Claims 26 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan (5,724,412) in view of Delaney et al (6,842,772).

Consider claims 26 and 49, Srinivasan did not suggest wherein said specified destination is a fax machine. However, Delaney et al suggested such (col. 4 lines 40-58). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Delaney et al into view of Srinivasan in order to provide caller information from different networks.

#### Conclusion

- 10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 11. Any response to this action should be mailed to:

Mail Stop \_\_\_\_\_(explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 2643

Facsimile responses should be faxed to:

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Hand-delivered responses should be brought to:
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Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is (571) 272-7511. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (571) 272-7499.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is (571) 272-2600.

QUOCTRAN PRIMARY EXAMINER

AU 2643

November 8, 2005

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| ľ |     | Notice of Reference                              | s Cited          | auga A            | 10/797,887          |                          | Reexamination RAMPEY ET | า              |
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| L |     |  | 2643             | Page 1 of 1       |                     |                          |                         |                |
|   |     | NOV 1 7 200                                      | Be s !           | U.S. P            | ATENT DOCUME        | NTS                      |                         |                |
| * |     | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY  |                   |                     | Name                     |                         | Classification |
| * | A   | US-6,922,721                                     | 07-2005          | Minborg           | g et al.            |                          |                         | 709/219        |
| * | В   | US-6,868,268                                     | 03-2005          | Worsha            | am et al.           |                          |                         | 455/415        |
| * | С   | US-6,842,772                                     | 01-2005          | Delane            | y et al.            |                          |                         | 709/206        |
| * | D   | US-6,813,489                                     | 11-2004          | Wu et a           | ıl.                 |                          |                         | 455/412.1      |
| * | E   | US-6,571,112                                     | 05-2003          | Ramas             | wamy, Satyanar      | rayanan                  |                         | 455/466        |
| * | F   | US-5,930,701                                     | 07-1999          | Skog, E           | Bengt Robert        |                          |                         | 455/415        |
| * | G   | US-5,764,730                                     | 06-1998          | Rabe et           | t al.               |                          |                         | 455/403        |
| * | Н   | US-5,724,412                                     | 03-1998          | Srinivas          | Srinivasan, Thiru   |                          |                         | 379/93.23      |
| * | 1   | US-2004/0209604                                  | 10-2004          | Urban e           | et al.              |                          | 455/415                 |                |
|   | . J | US-  |                  |                   |                     |                          |                         |                |
|   | К   | US-  |                  |                   |                     |                          |                         |                |
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|   | U   |  |                  |                   |                     |                          | ·                       |                |
|   | v   |  |                  |                   |                     | -                        |                         |                |

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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Sheet 1

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Complete if Known      |                |  |  |  |  |
|------------------------|----------------|--|--|--|--|
| Application Number     | T              |  |  |  |  |
| Filing Date            | 09 March 2004  |  |  |  |  |
| First Named Inventor   | Fred D. Rampey |  |  |  |  |
| Art Unit               |                |  |  |  |  |
| Examiner Name          |                |  |  |  |  |
| Attorney Docket Number | DISC.01USO1    |  |  |  |  |

|                    |                          |  | U. S. PATEN                    | DOCUMENTS  |  |
|--------------------|--------------------------|--|--------------------------------|--|--|
| Examiner Initials* | Cite<br>No. <sup>1</sup> | Document Number  Number-Kind Code <sup>2 (7 known)</sup> | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Unes, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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| 47                 | В                        | <sup>US-</sup> 6,459,776                                 | 10-01-2002                     | Aktas et al.                                       |  |
|                    | С                        | us- 6,385,306  | 05-07-2002                     | Baxter   |  |
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|                    | Ε                        | <sup>US-</sup> 6,320,948                                 | 11-20-2001                     | Heilmann et al.                                    |  |
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|                    | G                        | <sup>US-</sup> 6,145,083                                 | 11-07-2000                     | Shaffer et al.                                     |  |
|                    | Н                        | <sup>US-</sup> 5,901,214                                 | 05-04-1999                     | Shaffer et al.                                     | ,  |
|                    | ١                        | <sup>US-</sup> 6,011,794                                 | 01-04-2000                     | Mordowitz et al.                                   |  |
|                    | J                        | <sup>US-</sup> 6,266,539                                 | 07-24-2001                     | Pardo  |  |
|                    | К                        | US- 2003/0048882   | 09-07-2001                     | Smith, II  |  |
|                    | L                        | <sup>US-</sup> 2003/0068023                              | 10-10-2001                     | Singh  |  |
|                    | М                        | <sup>US-</sup> 2003/0140121                              | 09-27-2002                     | Adams  |  |
|                    | N                        | us- 2003/0073434   | 08-30-2002                     | Shostak  | ·  |
|                    | 0                        | us- 2003/0147518   | 06-30-1999                     | Albal et al.                                       |  |
|                    | Р                        | <sup>US-</sup> 2003/0211864                              | 11-13-2003                     | Bodnar et al.                                      |  |
|                    | Q                        | <sup>US-</sup> 2003/0147519                              | 08-07-2003                     | Jain et al.  |  |
|                    | R                        | <sup>US-</sup> 2003/0065512                              | 04-03-2003                     | Walker   |  |
| NT                 | S                        | <sup>US-</sup> 2003/0027565                              | 02-06-2003                     | Bossemeyer et al.                                  |  |

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| Examiner Cite Initials* No.1 | Foreign Patent Document Public | Publication<br>Date   | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages |                            |        |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| <b>INFORMATION DISCLOSURE</b> |
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| STATEMENT BY APPLICANT        |

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| First Named Inventor  | Fred D. Rampey |  |  |  |  |
| Art Unit              | <u> </u>       |  |  |  |  |
| Examiner Name         |                |  |  |  |  |
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|                    |             |  | U. S. PATENT                  | DOCUMENTS .  |   |
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| Examiner Initials* | Cite<br>No. | Document Number  Number-Kind Code <sup>2 (f known)</sup> | Publication Date " MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
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|                    | U           | <sup>US-</sup> 2002/0054601                              | 05-09-2002                    | Barraclough et al.                                 |   |
| A                  | ٧           | US- 2002/0035474   | 03-21-2002                    | Alpdemir   |   |
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|                       |              | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>8</sup> (# known) | MM-DD-YYYY          | TOPICON OF OROGINETIC                              | Or Relevant Figures Appear                        | T⁰ |
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